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15 Attorneys for Respondent
16 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

20 No. CR 15-131-JFW

21 Plaintiff,

22 GOVERNMENT'S EX PARTE APPLICATION
23 FOR ORDER SEALING DOCUMENTS;
24 DECLARATION OF SCOTT D. TENLEY

25 v.

26 TEOFIL BRANK,
27 aka "Jarec Wentworth,"

28 Defendant.

29
30 Plaintiff United States of America, by and through its counsel
31 of record, the United States Attorney for the Central District of
32 California and Assistant United States Attorney Scott D. Tenley,
33 hereby submits this ex parte application for an order that the
34 government's opposition to defendant's application for bail review
35 or reconsideration of the Court's order of detention, the
36 declaration of Catherine T. Moore, and exhibits to the declaration
37 of Catherine T. Moore be filed under seal.

The ex parte application is based upon the attached declaration of Scott D. Tenley.

Dated: April 1, 2015

Respectfully submitted,

STEPHANIE YONEKURA
Acting United States Attorney

ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Criminal Division

Attorneys for Plaintiff
United States of America

DECLARATION OF SCOTT D. TENLEY

I, Scott D. Tenley, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I represent the government in this matter, which includes the filing of this ex parte application.

2. On April 1, 2015, the government filed its opposition to defendant's motion for bail review or reconsideration of the Court's order of detention (the "opposition"), the declaration of Catherine T. Moore, and exhibits to the declaration of Catherine T. Moore (declaration and exhibits referred to collectively as the "declaration").

3. The opposition and declaration reference an individual who has provided information to the government regarding defendant's extortion scheme and who has expressed an interest in cooperating with the government's investigation. A report summarizing the Federal Bureau of Investigation's interview of this individual is included as Exhibit 1 to the declaration. The government's memorandum of points and authorities makes reference to the individual by name as well.

4. As such, the government requests that the government's filing of the opposition and the declaration be filed under seal.

6. On April 1, 2015, at 9:37 p.m., I emailed Seema Ahmad and Ron Chowdhury, counsel for defendant, to ascertain defendant's position on the government's application. I also left voicemail messages in Ms. Ahmad and Mr. Chowdhury's offices at approximately 10:30 p.m. Because of the late hour of my communications to defense

1 counsel, I was unable to obtain defendant's position on the
2 government's application.

3 7. On April 1, 2015, I served Ms. Ahmad and Mr. Chowdhury
4 with a copy of the government's under seal documents via email.

5 8. Should the Court deny this application, the government
6 requests that its submitted filing and this application not be
7 filed, but be returned to the government, without filing of the
8 documents or reflection of the name or nature of the documents on
9 the clerk's public docket.

10 I declare under penalty of perjury that the foregoing is true
11 and correct to the best of my knowledge and belief. Executed on the
12 1st day of April, 2015, at Los Angeles, California.

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16 SCOTT D. TENLEY
17 Assistant United States Attorney
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